

EXHIBITS TO WORTHPOINT MOL ECF 476

EXHIBIT #1 A Plaintiff's 8/30/22 Deposition Pages 121-122 and , 178 only Yahoo email.
#1 B Plaintiff Evid. 000160 meta data coding with 1972 ad on WP website.
#1 C EAI for selling counterfeit items of China not French porcelain
#1 D 2015 lawsuit Rosen vs Terapeak/ WorthPoint
#1 Plaintiff's Aug.30, 2022 Deposition Page 130

EXHIBIT #2 A Pl. Evid. 000475 -482. Georgia Summons and Complaint
#2 B Pl. Evid. and Pl. Evid. 000488—489 Phone Call and Deposition
#2 C Pl. Evid. in 000492 Jan,4 and 000493 Jan.11 Proof of Mailing 2021
#2 Plaintiff's Evid. 000490 Will Seippel Dec. 8, 2020 email to Plaintiff

EXHIBIT # 3A Plaintiff' childhood signature in print, script full page of 1972 notebook
3B Plaintiff's Evid. bate stamped 000149 Plaintiff Evid. 000150 and 000151

EXHIBIT #4 Norb Novocin testified on page 38 and page 47 and 52

EXHIBIT#5 Plaintiff's August 30, 2022—deposition page 101 and pages 173 to 175.

EXHIBIT #6 Plaintiff's proof of filing on April 17, 2023 Declaration with exhibits to Pro Se Intake Unit.

EXHIBIT # 7 Judge Abrams ECF 187 page 14

EXHIBIT #8A Norb Novocin Phone Transcript Pl's Evid 000887 to 000891
8B EAI000001- EAI000002 and EAI000003-Plaintiff's 2017 settlement letter.
8C eBay phone transcript Page 9,

EXHIBIT #9 WorthPoint's evidence WP 000132, 000133 and 000134

EXHIBIT #10 A Pl. Evid 000061 to 000070 2017 Google Listing—and WorthPoint emails
#10 B WorthPoint Evid. WP000062, WP000096 and WP0000135 Feb.20, 2016
#10 C Will Seippel June 29,2020 Declaration Pl. Evid. 000214, 000215 000216

EXHIBIT#11 Pl Evid. Feb 16,2016 000042—000043 and WP evidence 0000070- 0000071

EXHIBIT #12A Pl. Evid. 000370 000371 Feb 17, 2016 “You visited this page “ also noted in
12 B and Feb. 16, 2016 evid. in Pl. Evid. 000045 WorthPoint's Evid WP000071.

EXHIBIT #13 Plaintiff Evid. 000061 000062 March 15, 2017

EXHIBIT #14 Pl. Evid. 000069 000070 000071 May 7, 2017 WorthPoint 1972 Webpages

EXHIBIT # 15 Plaintiff's. Evidence 000879 and000880 WorthPoint email

EXHIBIT #16 A Jason Packer's declaration with Plaintiff's wrong email on pages 9 and 10.
#16 B Plaintiff's deposition pages 47-48 and 178 only Yahoo email
#16 C Pl's website email WorthPoint sent March 25, 2022 email Terms of Use

EXHIBIT #17 Two different document with two different dates and years with the same
WorthPoint bate stamped No. WP000132

EXHIBIT # ~~1~~ ~~2~~ ~~3~~ 3A

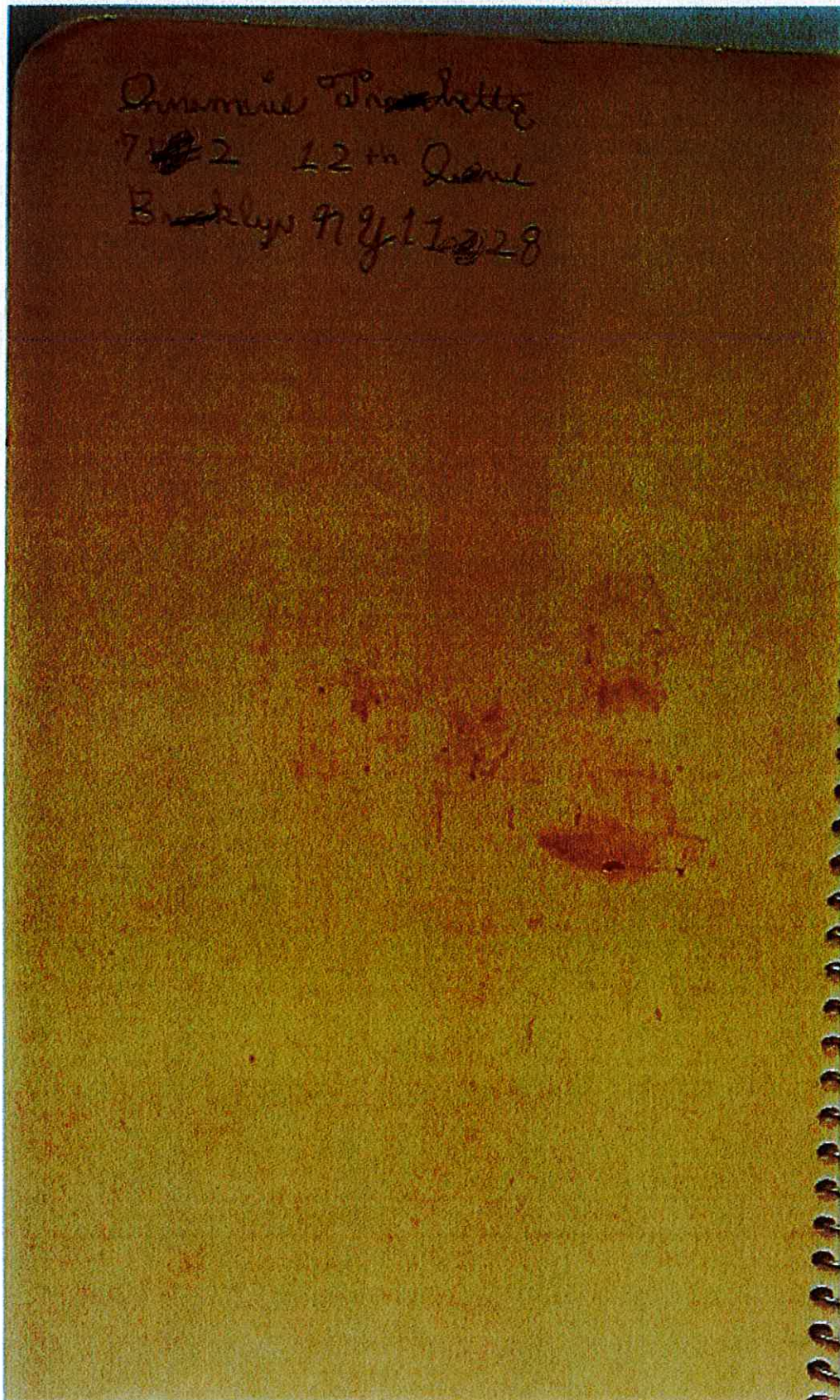


EXHIBIT 3A

~~A~~

A



Housekeeping

Ironing & Spent 63¢ My room
making bed is that hot
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8.7

Yahoo Mail - Re: Annamarie Trombetta

Re: Annamarie Trombetta

From: Bob Bahr (babahr@yahoo.com)

To: trombettaart@yahoo.com

Date: Thursday, March 5, 2015, 09:53 AM EST

Exhibit #3B

4/5/22, 4:01 PM

Date March 5
2015

Thanks. Very glad you liked it. Yes, that is the right link.

I will try to send you a PDF later so you have it in that form as well.

Hope we can paint together sometime when it's above freezing!

Bob

From: Annamarie Trombetta <trombettaart@yahoo.com>
To: Bob Bahr <babahr@yahoo.com>
Sent: Thursday, March 5, 2015 9:47 AM
Subject: Annamarie Trombetta

Ask Art Website

Hi Bob,

Thank you so much for a wonderful article. I have been sharing it with some of my collectors and colleagues and will do so with many more people. Also thank you for your recommendation for the Ask Artwebsite. I consent to include my biography listing to their site.

Can you send me a link that is just this piece or is this the link below?? Also is there a magazine version that I can purchase.

I am please with the work that you selected as one of my collectors expressed her delight as well.

With sincere gratitude,
Annamarie Trombetta

[http://www.outdoorpainter.com/artist-profiles/central-park-s-plein-air-past.html?
utm_source=Art+List&utm_campaign=f24b0abe29-PAT 3 4 15&utm_medium=email&utm_term=0_6907cc7961-
f24b0abe29-232018861](http://www.outdoorpainter.com/artist-profiles/central-park-s-plein-air-past.html?utm_source=Art+List&utm_campaign=f24b0abe29-PAT+3+4+15&utm_medium=email&utm_term=0_6907cc7961-f24b0abe29-232018861)

Yahoo Mail - A Big Thank you from Annamarie Trombetta

4/17/21, 9:27 PM

A Big Thank you from Annamarie Trombetta

From: Annamarie Trombetta (trombettaart@yahoo.com)

To: babahr@yahoo.com

Date: Saturday, June 6, 2015, 12:49 PM EDT

Exhibit
#1 3B
Date June
2015

Hi Bob,

My sincere appreciation for including me once again in Outdoor Painter! I am indeed delighted as was the host of the show to learn that the link and a feature was in the Newsletter for Outdoor Painter.

It is the kind of situation that brings attention not just to me--the Magazine but also to the Hudson River School Painters who have done so much for this country's history in art, Parks and conservation.

Last thank you for the recommendation. I am delighted that my bio is now on AskArt-- Mille Grazie for that!

I hope to meet you in person one of these days. Let's plan a meeting if you live in the New York area. Take great care and all the best to you.

Warm Regards,
Annamarie Trombetta

Ask Art
2015

Wayback Machine

Internet Archive Wayback Machine

1 capture 22 Sep 2015

https://www.asksart.com/artist/Annamarie_Trombetta/11156459/Annamarie_Trombetta.aspx

Go

2014 2015 2016

SEP 22

askART

What's my art worth? Auction Records Research Art Buy / Sell Our Services Sign In Subscribe

Enter artist name or use alphabet

a b c d e f g h i j k l m n o p q r s t u v w x y z

Annamarie Trombetta

(born 1963)

Annamarie Trombetta is active/lives in New York. Annamarie Trombetta is known for geometric still life arrangements-painting.

Discover art and art prices ...

- Auction records and images
- Record prices, graphs, stats
- Artist signature examples
- More about subscribing

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The Artist

Overview

Biography

Quick Facts

Get Alerts

Auction Records

Auction Records (0)

Upcoming Auctions (0)

What's my art worth?

Buy / Sell

For Sale (0)

Wanted (0)

Dealers (0)

Resources

Signatures (0)

Related Artists

Publications

Samples of work

Place an Ad

Charts

Biography Annamarie Trombetta

The nature of an artist's life, creativity and growth may be synonymously expressed in the image of an archetypal tree. Beginning with the earthly descendent roots the artist like the tree branches out into its surrounding environmental and celestial world. Both ascend and descend, widening their girth of consciousness while producing visual imagery, weathering each season of change. Thus, I believe it is the nature of the artist and of nature itself to regenerate and manifest. All of the imagery in this catalog was either created en plein air or from the subject directly.

My journey to becoming an artist began many years ago. The consanguineous roots of my Italian family tree provided me with an innate constitution for m ... Displaying 750 of 8277 characters.

Exhibit #2

3B

text

Plaintiff000149

EXH (B17 #41)

Page 38

N. NOVOCIN

words, the signature on the front of the painting was a garbled and it was kind of hard to read, when you turn it over, it had printed out what it was and if it were up to me, I would make it almost a law that all the artists had to print out the actual name and so forth. Because some artists pictures are so, so hard to read. So this allowed us to be able to look up Trombetta, Annamarie. This one says Maria. I didn't remember it saying Maria, but that's how I looked it up.

MR. BIALEK: Marlene, can you read back the beginning of his answer.

(Whereupon, the referred to answer was read back by the Reporter).

Q. Mr. Novocin, in your practice of dealing with antiques, have you ever encountered any ratings or stamps or labels glued to the back of the painting?

A. Yes.

Q. In your experience, is there

EXHIBIT 17#4
(2)

Page 47

1 N. NOVOCIN

2 EAI000024. I'm showing it to you at 150
3 percent and I have just scrolled from the
4 top to the bottom of the document. Mr.
5 Novocin, my question to you is, does this
6 image depict the signature that appeared on
7 the painting Man With A Red Umbrella?

8 A. Yes.

9 Q. Is this one of the photographs
10 that was included in Estate Auctions Ebay
11 listing for that painting?

12 A. Yes.

13 Q. Sir, how do you know that?

14 A. Because if there's anything
15 that we have seen over and over is this
16 signature. It came off of Worthpoint.
17 It's the only signature or only picture
18 that survived on Worthpoint. Why, I don't
19 know. That's how we know. It just was
20 there.

21 Q. Let me just follow up with you
22 on that. So as far as you know, you
23 testified that Worthpoint doesn't sell any
24 paintings, correct?

25 A. Correct.

EXHIBIT #4
(3)

1 N. NOVOCIN

2 yes.

3 Q. Again, this document shows the
4 signature and I think you testified earlier
5 that you did not find it legible when you
6 first saw the painting, correct?

7 A. Correct.

8 Q. When you looked at the back of
9 the stretcher and you saw the words
10 Annamarie Trombetta that we discussed
11 earlier, did it help you interpret what the
12 signatures may have read?

13 A. It certainly interpreted the
14 last name. I couldn't do anything for that
15 first initial.

16 Q. Taken together with the
17 information on the bottom, how did you
18 determine who may be the artist?

19 A. You have to rephrase that. I'm
20 sorry. You are going to have to rephrase
21 that. You got gunked [sic] up on the
22 internet.

23 Q. Actually, give me one second.
24 I have someone mowing the lawn outside of
25 my window. I'm going to try to shut the

EXHIBIT #5

Plaintiff's
Deposition
Response

Page 101

1 A. Trombetta

2 for the court in whatever form it appears.
3 Whether it is electronic as stored on your
4 computer or whether it was printed out and a
5 copy of the full printout.

6 When you get the transcript there will
7 be in the back a page that will have
8 requests. So it will make it a lot easier.

9 A. What would make it easier is for your
10 firm to confirm that I did not do this painting
11 because I have already given to both clients my
12 signature from 1972 which does not match.

13 Q. I do not believe that my client has
14 made any representations that you made this
15 painting or didn't make this painting.

16 A. Well --

17 Q. And if that is something you need we
18 can talk about it off the record, but for purposes
19 of today, I am trying to ask you questions about
20 the documents that you produced and see if we can
21 get the original version; okay?

22 A. Again, this is a period of seven years
23 and many filings. 274 or 5 to be exact.

24 Q. Are you intending to use this document
25 in proving your case?

Attorneys
for
WorthPoint

12/11/17/5(1)

1 A. Trombetta

2 A. All the imagery in this catalog.

3 Q. Do you see the TBA in that sentence?

4 A. I do not see the TBA.

5 Q. So the fact that the biography entry
6 that is in the eBay listing doesn't have a TBA and
7 Mr. Novocin claims he got it from Ask Art, would
8 this indicate to you that this is what he had
9 taken?

10 A. This indicates nothing conclusive, in
11 my opinion.

12 Q. But you have no evidence that
13 Worthpoint purposely removed the TBA; correct?

14 A. Sir, during discovery I asked your
15 firm for several forms of evidence predominantly
16 the metadata, the actual dated
17 eBay/Worthpoint/worthopedia documents or ad and
18 you have not produced them. So if you don't have
19 the evidence based on my evidence, based on my
20 experiences of consistent, contradictory
21 statements, I can affirm once again, I did not do
22 the painting. I did not grant any person,
23 business, legal entity at any time the rights to
24 license or use my self-authored biography.

25 Q. But you have no evidence that

EXHIBIT #5(2)

Page 174

1 A. Trombetta

2 Worthpoint took your biography from your website;
3 correct?

4 A. I have no proof that, conclusive proof
5 that the painting was even sold because --

6 Q. That's not what I am asking. I am
7 asking -- can you please read back the question?
8 It is a very simple question.

9 (Record read.)

10 A. The evidence I have is what you are
11 looking at.

12 Q. This doesn't show that Worthpoint took
13 your biography from your website; does it?

14 A. It shows that my biography was on
15 Worthpoint's website.

16 Q. But it doesn't show that Worthpoint
17 took the biography from your website; correct?

18 A. It shows as I just stated and will
19 reiterate, Worthpoint's website had my biography.

20 Q. With the exception of the TBA?

21 A. With many exceptions. The exception
22 that my name is spelled incorrectly.

23 Q. Where is your name spelled incorrectly
24 within the body of the biography?

25 A. Description, this is by Annamarie

EXHIBIT #5(3)

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A. Trombetta

Trombette.

Q. Is that part of your biography?

A. That is part of the Worthpoint ad. So as far as the accuracy and the responsibility of the information on Worthpoint's website.

Q. So that's the description from Estate Auctions; correct, that's not the biography that you are claiming was copied; correct?

A. In Exhibit 8 of Defendants' Exhibits you have in the first paragraph home Worthopedia 1972 da, da, da signed Annamarie Trombetta.

Q. Correct.

A. Spelled correctly. Then in bold type Annamarie Trombetta. Then up at auction Annamarie Trombetta.

So what precedes the misspelling of my last name are one, two, three correct spellings within the same page and within close proximity. So I don't know why my name is misspelled --

Q. This is --

A. -- incorrectly when it is spelled correctly in three other places on the same page.

Q. You never have typos in your writing, do you?



EXHIBIT #6

18-CV-0993-Plaintiff's Summary Judgement, Declaration and Rule 56.1

1 message

Annamarie Trombetta <atrombettaart@gmail.com>

To: Temporary_Pro_Se_Filing@nysd.uscourts.gov

Mon, Apr 17, 2023 at 11:55 PM

X Declaration of Annamarie Trobetta with Exhibi... X

Date
April 17,
2023

To Whom it May Concern in the Pro Se Office:.

Plaintiff Annamarie Trombetta
Address 175 East 96th Street (12 R)
New York, New York 10128
Telephone (212) 427-5990

I, Annamarie Trombetta am the Flier in case 18-CV-0993

Pro Se Plaintiff is filing

Kindly file this two page letter in case Cv-18-0993.
I thank you in advance for your anticipated cooperation.

Sincerely,

Annamarie Trombetta

2 attachments

- Memorandum of Law in Support of Plaintiff's Motion for Summary Judgement.pdf
2311K
- Rule 56.1 .pdf
142K



EXHIBIT #6

April 20th, 2023

Re: Annamarie Trombetta
175 East 96th Street, Apt 12R
New York, NY 10128

To Whom It May Concern,

On April 17th, 2023, there was a repair man who came in and serviced the printers in our business center.

If you may have any questions or concerns, please feel free to contact me.

Sincerely,
Ermina Cirikovic



Compliance Specialist

T: 212-510-6503

F: 607-354-3243

erminac@montereynyc.com

~~EXHIBIT 7~~

claim accrued.” 17 U.S.C. § 507(b).⁴ Such claims “do not accrue until actual or constructive

discovery of the relevant infringement.” *Psihoyos v. John Wiley & Sons, Inc.*, 748 F.3d 120, 125 (2d

Cir. 2014).⁵ Moreover,

it is widely recognized that the separate-accrual rule attends the copyright statute of limitations. Under that rule, when a defendant commits successive violations, the statute of limitations runs separately from each violation. Each time an infringing work is reproduced or distributed, the infringer commits a new wrong. Each wrong gives rise to a discrete “claim” that “accrues” at the time the wrong occurs. In short, each infringing act starts a new limitations period.

Petrella v. Metro-Goldwyn-Mayer, Inc., 572 U.S. 663, 671 (2014)

Trombetta filed her complaint against Worthpoint on February 21, 2020. Compl. at 26.

Therefore, to be timely, any complained of copyright infringement must have accrued after February 21, 2017. Trombetta alleges that she first discovered the 2015 post on worthpoint.com some time in 2015. Compl. at 2–3. Her claim as it relates to this post is thus untimely.

Trombetta also alleges that a post similar to the 2015 post was on the internet when she searched for it in May of 2017. Compl. at 7, 42. It is unclear whether Trombetta is alleging that the 2015 post was in existence in 2017 (1) because Worthpoint never deleted it or (2) because Worthpoint reposted it after deleting it in 2015 or 2016. If the former is true, then Trombetta’s copyright claim against Worthpoint accrued in 2015 when she first saw the post, and the claim is untimely. If the latter is true, by contrast, then the reposting constitutes a new copyright violation, one that accrued within the limitations period.

⁴ When a party was not included in the initial complaint but was later added, the limitations period continues to run with respect to the new party until that party is named in the action. *See Kregos v. AP*, 3 F.3d 656, 666 (2d Cir. 1993).

⁵ The Supreme Court subsequently cast doubt on the discovery rule in *Petrella v. MGM*, in which it stated, “a copyright claim . . . arises or ‘accrue[s]’ when an infringing act occurs.” 572 U.S. 663, 670 (2014) (alteration in original). *Petrella*, however, specifically declined to overrule the discovery rule. *Id.* at 670 n. 4. The Second Circuit has recently clarified that continued application of the discovery rule is thus still required in this Circuit. *Sohm v. Scholastic Inc.*, 959 F.3d 39, 51 (2d Cir. 2020) (“It would contravene settled principles of *stare decisis* for this Court to depart from its prior holding in *Psihoyos* on the basis of *Petrella*.”).



no evidence that [the former] provided [the latter] with [the infringing material], much less that it authorized or assisted them”). Accordingly, the motion to dismiss Trombetta’s contributory copyright infringement claim against Worthpoint is granted.

2. Digital Millennium Copyright Act

a. Statute of Limitations

Worthpoint next argues that like her infringement claims, Trombetta’s DMCA claims are time barred. A statute of limitations defense at the pleading stage is only appropriate where it is “clear from the face of the complaint...that the plaintiff’s claims are barred as a matter of law.” *See Sewell*, 795 F.3d at 339.

Here, Trombetta has plausibly alleged conduct by Worthpoint within the three-year statutory period that violates the DMCA. As discussed more substantively below, she plausibly alleges not just that Worthpoint reposted the listing in 2017, but that it did so after she repeatedly informed Worthpoint that the post reproduced her biography without attribution and infringed her registered work. Due to the factual ambiguities with respect to the 2017 post, including the extent to which it relates to the 2015 post, it is not clear at this stage whether Worthpoint did in fact engage in a separate violation of the DMCA in 2017, but it is, nonetheless, a plausible reading of the complaint. It is thus not “clear” from the face of the complaint that Trombetta’s DMCA claims are time-barred as a matter of law. *See Sewell*, 795 F.3d at 339; *see also Fischer v. Forrest*, No. 14-CV-1304 (PAE) (AJP), 2017 WL 128705, at *7 (S.D.N.Y. Jan. 13, 2017), report and recommendation adopted, 2017 WL 1063464 (S.D.N.Y. Mar. 21, 2017).⁶ Accordingly, the Court will turn to the merits of her DMCA claims.

⁶ Relying on a 2019 case from the Ninth Circuit, *Media Rights Techs., Inc. v. Microsoft Corp.*, 922 F.3d 1014, 1026 (9th Cir. 2019), Worthpoint argues that DMCA claims are not governed by the separate-accrual rule, and that Trombetta’s DMCA claims are thus untimely under any reading of the complaint. In *Media Rights*, the Ninth Circuit held that “there is no parallel separate-accrual rule that applies to [Plaintiff’s] DMCA claim.” *Media Rights*, 922 F.3d at 1026. Unlike this case, however, the DMCA claim in *Media Rights* was based on circumvention of copyright protection systems under 17 U.S.C. § 1201. Here, the DMCA claims relate to 17 U.S.C. § 1202, which prohibits alteration or removal of copyright management information (“CMI”) and distribution of altered CMI with the intent to facilitate infringement. The Ninth Circuit’s determination that the separate-accrual rule does not apply to a § 1201 claim does not shed much light on whether the separate-

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

EXHIBIT

00;00;07;18 - 00;00;48;00 Norb Novocin January 10, 2017

Speaker 1 Novocin I don't know where I acquired that. We sell about 360 items a week. So week in and week out so that's, that's um four, over four years ago, five years. So unfortunately, I don't know where I acquired that. So I'm calling you back to tell you that I have a wealth of no knowledge for you.

Speaker 2 Trombetta You have a wealth of no knowledge..... Don't you have any paper or transact.... payment transactions?

Speaker 1 Novocin Yes, I have that. The lady does not want us to get her information... to you. So we don't give out information on anyone?

00;00;49;26 - 00;01;03;03

Speaker 2 Trombetta You don't give out any information. But there's something that I need to tell you.

Speaker 1 Novocin Okay.

Speaker 2 Trombetta Which is that... I need to get that information for my own purposes.

Speaker 1 Novocin Well, Unfortunately, I can't give it to you. I ...-It's Just ...We are under ah(a binding thing). We don't give out information...

00;01;05;24 - 00;01;28;06

Speaker 2 Trombetta But it was sold for one hundred eighty one dollars and fifty cents?

Speaker 1 Novocin It was sold for one hundred eighty one dollars and fifty cents.

Speaker 2 Trombetta Okay and ah even though it was damaged ?

Speaker 1 Novocin Yup

00;01;30;19 - 00;1;49

Speaker 2 Trombetta And even though there were two signatures on it.... front and back ?

Speaker 1 Novocin Yup

Speaker 2 Trombetta Okay well ah, all I can tell you is that um ...the fact that you can't give me that information....ah

Plaintiff's Evidence Expert Dis. 000888

Page 2

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

00;1:49 00:02:03

Speaker 1 Novocin

I...I just can't. I'm sorry. It is as if you had told me to say.. Hi, I talked to you
....You 've got my phone number... Please do not give out my phone number to
anyone else. I couldn't do it unless you said I could do it.

EXHIBIT #8

00;2 :04

Speaker 2 Trombetta

But that's in relationship to a particular item. You don't know why I want to speak
to this woman.

00;02;10;23 - 00;02;55;04

Speaker 1 Novocin

I understand that but she's asked for me not to give out her information.

Speaker 2 Trombetta

Well, OK, then. The seller of the item, is it possible to give out that information?

Speaker 1 Novocin

I do not have that anymore.

Speaker 2 Trombetta

You don't have

Speaker 1 Novocin

It is older than our computer system has maintained. So so six years ...five years is
older than our computer system. Our computer system cut out in ah January of
2013 and unfortunately, this was in December of 2012.

Speaker 2 Trombetta

So you're saying that you have no record of who the seller was....

Speaker 1 Novocin

Who I purchased it from I'm the seller.

Speaker 2 Trombetta

You're the seller.

Page
3

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

Speaker 1 Novocin

I'm the seller. I sold this on eBay.

00;02;58;00 - 00;03;42;14

Speaker 2 Trombetta

And you don't know how you acquired it.

Speaker 1 Novocin

I acquired it at an auction, somewhere. It could have been... I go to about four auctions a week. I sell about 360 items every week. ... every week. So no I don't know which auction this came from.

Speaker 2 Trombetta

Well, since it's a painting, shouldn't it have had some kind of authenticity or ah uh ...as your wife said, provenance ?

Speaker 1 Novocin

If it doesn't have provenance..... there's lots of paintings out there without a provenance and so what we stated this ... We didn't even state it was by you. We just stated it was signed Annamarie Trombetta.

00;03;42;14 - 00;03;43;28

Speaker 2 Trombetta

Right And that's fraud, sir.

00;03;44;07 - 00;03;51;28

Speaker 1 Novocin

Why is that fraud ?

Speaker 2 Trombetta

Because, I did not do that painting. And I'm not a hack of a painter. I'm a professional painter.

00;03;52;03 - 00;03;52;21

Speaker 1 Novocin

Okay

Speaker 2 Trombetta

EXHIBIT
#8

Page
44

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff

And to put my signature on a painting.....

Speaker 1 Novocin

It may be more than one Annamarie Trombetta

Speaker 2 Trombetta

It may.....

Speaker 1 Novocin

All I know is that it was signed that..... It was signed that.

00; 04;07 00; 04;35

Speaker 2 Trombetta

Right.... But.... when I saw the information ascribed to this painting, it was from my website.

Speaker 1 Novocin

Okay.

Speaker 2 Trombetta

No, it's not okay. That's fraud. And technicallylegally... You're not supposed to use my name. And you're not supposed to sign things.

00;04;35;17 - 00;05;13;24

Speaker 1 Novocin

We have not sign anything. We did not sign anything. The painting was already signed.

Speaker 2 Trombetta

But you can't tell me where you acquired the painting

Speaker 1 Novocin

Not right now I can't. Nope.

Speaker 2 Trombetta

And you can't tell me who purchased the painting.

Speaker 1 Novocin

I won't tell you whose

EXHIBIT
#8

Page

Norb Novocin Jan.10, 2017 Phone Call Made to Plaintiff 5

Speaker 2 Trombetta

You won't.....

Speaker 1 Novocin

who purchased the painting.... cause she asked me not to.....

But if you want to acquire an attorney and go for stuff... stuff then Go For it. But we have not done anything illegal or wrong.

Speaker 2 Trombetta

Well let's leave a court to decide that, thank you,

Speaker 1 Novocin

Very good, thank you.

Speaker 2 Trombetta

We will.

EXHIBIT
#8



EXHIBIT 7-#9(1)
Jason Packer <jason.packer@worthpoint.com>

FW: Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ...
www.worthpoint.com › Worthopedia™-----Artist Annamarie Trombetta

4 messages

Will Seippel <will.seippel@worthpoint.com>
To: Jason Packer <jason.packer@worthpoint.com>
Cc: Antoine Lyseight <antoine.lyseight@worthpoint.com>

Wed, Jan 4, 2017 at 11:48 AM

Hi Jason, is there anyway you can stop Google from indexing this to our site? There us nothing on our site from her, just this link that Google keeps recognizing.

From: Annamarie Trombetta [mailto:trombettaart@yahoo.com]

Sent: Wednesday, January 04, 2017 11:28 AM

To: will@worthpoint.com

Subject: Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ... www.worthpoint.com › Worthopedia™-----Artist Annamarie Trombetta

Mr. Sieppel,

Please allow me to Re-introduce myself. My name is Annamarie Trombetta. I am an artist . Last year I found a MISATtribution of a painting that I did NOT create on your website--Worthpoint.com which came up on the internet under my name. Specific personal content from my professional biography on my personal artist website was copied, transplanted and posted on your site. A picture of a painted signature on canvas signed A. Trombetta that was NOT MY signature was also photo featured on the Worthpoint.com website listing.

On February 20, 2016 I contacted you via e-mail. Prior to contacting you I had spoken several times with your employer Anita and eventually I was on the phone at length with your webmaster Mr. Gregory Watkins regarding the FRAUDULENT posting of a painting that I did not create. I requested that this Fraudulent listing be permanently removed. I also sent a notice to the company website. SEE BELOW

Ticket #57565: Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

WorthPoint | Feb 20, 2016 10:24AM EST

Thank you for submitting your request. We have received your request and are working on responding to you as soon as possible. If you have any additional information to add to this case, please reply to this email.

Thanks in advance for your patience and support.

This message was sent to trombettaart@yahoo.com in reference to Case #57565.

I am contacting you once again **almost a year later** because I found yet again a listing from Worthpoint.com under my name--Annamarie Trombetta artist. Below is today's listing January 4th 2017 of subjects and site which come up when I Google **Annamarie Trombetta artist. PLEASE REVIEW --- The Marilyn Monroe listing** was the **first** place where my name was Falsely associated along with the fraudulent painting and signature attributed to me that was listed on Worthpoint.com.

WP000132

EXHIBIT #9 (2)

A year ago I took time, energy and effort to contact you and your company regarding the false attribution and requested that it should be removed. I have NEVER HAD ANY ASSOCIATION with WORTHPOINT.com---NOR have I ever had any business with Worthpoint.com and yet in a Google search for Annamarie Trombetta Artist your company is listed under my name. **This listing is not authentic and has NO RIGHT TO BE LISTED UNDER MY NAME. The Listing from Worthpoint.com is taking up space that should be for my other TRUE credentials ---and should not BE OCCUPIED by your company.**

I am requesting that you remove this IMMEDIATELY from the internet -- kindly contact Google and responsibly deal with this issue to bring about a PERMANENT ENDING. I do NOT WISH TO BE ASSOCIATED with your company---in ANY WAY.

The numerous times that I have had to contact you regarding this issue is an outrage and a waste of my personal time. This is costing me time, effort and energy needlessly and for NO LOGICAL REASON as AGAIN I have contacted your company numerous times.

I am requesting a written response to this e-mail as soon as possible as a confirmation for receipt of this e-mail. Further, I am requesting that you and your company PERMANENTLY remove the association --or connection that Google or the algorithms on any other internet site thereof have between your company ---Worthpoint.com---- and my name Annamarie Trombetta.

Sincerely,

Annamarie Trombetta

Central Park's Plein Air Past | OutdoorPainter

www.outdoorpainter.com › Home › Artist Profile

1.

Mar 2, 2015 - "The Destructive Dance of 'Sandy,'" by Annamarie Trombetta ... all this history, and the connections generated by artists, gave me a mission."

You've visited this page many times. Last visit: 11/2/16

Artist Annamarie Trombetta working on her piano, which ... - Pinterest

<https://www.pinterest.com/pin/177751516514603960/>

Artist Annamarie Trombetta working on her piano, which commemorates the 10- year anniversary of 9/11. | See more about Piano, Anniversaries and Artists.

You've visited this page 2 times. Last visit: 2/16/16

Page 1 - Italian American Museum

italianamericanmuseum.org/exhibitions/Pleinair.htm

1.

Acclaimed artist Annamarie Trombetta presents a solo exhibition that celebrates the influence of the Italian Macchiaioli (Risorgimento) Artists and the American ...

You've visited this page many times. Last visit: 10/14/16

artist annamarie trombetta's imagery offers visionary interpretation of ...

www.italianamericanmuseum.org/news/news_plein.html

1.

EXHIBIT #9(3)

Artist Annamarie Trombetta's "Central Park Imagery," a collection of en plein air works in oils, pastels, watercolors, etchings and drawings will be on display at ...

Staten Island native's passionate love affair with Central Park still ...

www.silive.com/entertainment/index.ssf/.../annamarie_trombetta_takes_a_wa.html

Jan 12, 2015 - STATEN ISLAND, N.Y. — After 20 years and well over a hundred works of art, painter Annamarie Trombetta still hasn't had her fill of Central ...

You've visited this page many times. Last visit: 11/2/16

Marilyn Monroe 1988 Vintage Michael Ochs Archive Chanel Perfume ...

www.worthpoint.com › Worthopedia™

.. Blue Hello Kitty Obey Giant Shepard Fairey Signed & Numbered Rare Print · Handmade New Mexican Folk Art Church Birdhouse LARGE Lark Sedona ...

Jason Packer <jason.packer@worthpoint.com>
To: Will Seippel <will.seippel@worthpoint.com>
Cc: Antoine Lyseight <antoine.lyseight@worthpoint.com>

Wed, Jan 4, 2017 at 9:49 PM

I filed a temporary removal request with Google which may help flush out that URL, but since that URL is showing up for that search based on off-page signals that may not be enough to get it to stop showing.

Beyond that the only thing we could do is remove the URL altogether, let me know if I should do that.

[Quoted text hidden]

Will Seippel <will.seippel@worthpoint.com>
To: Jason Packer <jason.packer@worthpoint.com>

Wed, Jan 4, 2017 at 9:51 PM

I would remove it if not too much trouble.

Happy New Year!

Will

[Quoted text hidden]

Jason Packer <jason.packer@worthpoint.com>
To: Will Seippel <will.seippel@worthpoint.com>

Thu, Jan 5, 2017 at 8:20 AM

Sure thing, removed.

[Quoted text hidden]